

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE:)	
)	
DANA MARIE PEOPLES,)	CASE NO. 24-10854-KHK
)	CHAPTER 7
Debtor.)	
_____)	
DANA MARIE PEOPLES,)	
)	
Plaintiff,)	
)	
v.)	ADV. PROC. NO. 24-01041-KHK
)	
U.S. DEPARTMENT OF EDUCATION, et al.)	
)	
Defendants.)	

CONSENT MOTION TO DISMISS AND FOR ENTRY OF ORDER DISCHARGING
STUDENT LOANS AND MEMORANDUM IN SUPPORT THEREOF

The United States of America, on behalf of the U.S. Department of Education (DoE), requests that the Court enter an order dismissing this adversary proceeding and discharging the Plaintiff's student loans owed to DoE pursuant to the provisions of 11 U.S.C. § 523(a)(8). Counsel for the United States has discussed the relief requested in this motion with the Plaintiff who consents to such relief. As grounds for this Motion, the United States avers the following:

Matthew J. Troy
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Counsel for the United States of America
Appearing pursuant to 28 U.S.C. § 517

1. Plaintiff filed a complaint in this adversary proceeding on August 13, 2024, Dkt. No. 1, seeking to discharge certain student loan obligations owed to DoE. Plaintiff asserts that requiring her to repay these obligations would constitute an undue hardship pursuant to 11 U.S.C. § 523(a)(8). Plaintiff seeks to discharge these obligations pursuant to 11 U.S.C. § 523(a)(8).

2. Pursuant to the Guidance (“Guidance”) regarding requests to discharge student loans in bankruptcy cases issued November 15, 2022, by the Department of Justice, in coordination with DoE, Plaintiff completed an Attestation, as described in the Guidance, under penalty of perjury.

3. The Attestation provided by Plaintiff to the United States demonstrates that she is entitled to a hardship discharge of her student loans under the criteria set forth in the Guidance.

4. In 2012, Plaintiff entered into loan agreements with the DoE for two student loans as identified in the attached Exhibit 1.

5. As of February 5, 2025, the total owed under the loans identified in Exhibit 1, inclusive of interest, is \$11,742.22 (Subject Debt).

6. The United States agrees that the Plaintiff is entitled to a hardship discharge of the Subject Debt. The parties have executed a proposed Consent Order that accompanies this Motion.

CONCLUSION

For the foregoing reasons, the United States respectfully requests that this Motion be granted.

Dated: February 25, 2025

Respectfully submitted,

ERIK S. SIEBERT
UNITED STATES ATTORNEY

By: /s/ Matthew J. Troy
Matthew J. Troy
Assistant United States Attorney

EXHIBIT 1

**U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA**

CERTIFICATE OF INDEBTEDNESS #1 OF 1

Dana People
Adv. No. 24-01041
SSN: xxx-xx-9881

I certify that Department of Education records show that the borrower named above is indebted to the United States in the amount stated below as of 02/05/2025:

DIRECT LOANS


Loan #	Disb. Date	Int Rate	Prin. Due	Int. Due	Total Due
8	09/17/2012	6.8	\$7,328.12	\$894.98	\$8,223.10
7	09/17/2012	3.4	\$3,378.69	\$140.43	\$3,519.12

The Direct loans were made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 C.F.R. Part 685).

The borrower now owes \$10,706.81 worth of principal and \$1,035.41 worth of interest as of 02/05/2025. Grand Total is: \$11,742.22

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: _____ 2/20/2025 _____


Emory Newman
Management and Program Analyst
Litigation Support

CERTIFICATE OF SERVICE

I hereby certify a copy of foregoing will be filed with the United States Bankruptcy Court electronically in the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Date: February 25, 2025

/s/ Matthew J. Troy
Matthew J. Troy